

Municipality of Lakeshore – Report to Council

Growth and Sustainability

Planning Services



To: Mayor and Members of Council

From: Jacob Dickie, Planner II

Date: June 9, 2025

Subject: Zoning By-law Amendment (ZBA-23-2024) – 923 County Rd 2

Recommendation

Approve Zoning By-law Amendment Application (ZBA-23-2024), to amend Zoning By-law 2-2012 as it relates to the subject lands identified in “Attachment A” which corresponds to the 12 severed lots that were approved with conditions under Consent Applications (File Number B/16/2023 to B/27/2023), and to rezone the lands from “Hamlet Commercial Zone Exception 1 (HC-1)” to “Hamlet Residential (HR)”.

Direct the Clerk to read By-law 48-2025 during the Consideration of By-laws, all as presented at the July 8, 2025 Council meeting.

Strategic Objectives

This does not relate to a Strategic Objective. However, it is a core service of the Municipality.

Background

On December 6, 2024, the Committee of Adjustment approved Consent Applications B/16/2023 to B/27/2023 with conditions to sever 12 lots from the Rochester Golf Course with municipal addresses 923 County Rd 2 and 981 County Rd 2 in the area identified in Appendix A. The legal description for the lands is as follows: Part of Lot 1 Concession West of Ruscom River, Rochester, designated as Parts 1 to 19 and Part 28 on Plan 12R29655, being Part of the Property Identifier Numbers 75050-0054(LT), 75050-0057(LT), 75050-0058(LT), 75050-0059(LT), 75050-0060(LT), 75050-0061(LT), 75050-0063(LT), 75050-0125(LT), 75050-0126(LT) and 75050-0127(LT); Lakeshore

At the same time, Consent Cancellations were granted for 8 lots that were previously severed from the Rochester Golf Course. Part of the lands that formed part of the 8 cancelled severed lots now form part of the newly created 12 lot configurations that are subject to the proposed rezoning (Appendix B).

Lot #	Draft Survey	Area (m ²)	File Number
1	Part 1	2123	B-16-2023
2	Part 2	2123	B-17-2023
3	Part 3	2124	B-18-2023
4	Part 4	2004	B-19-2023
5	Part 5	2040	B-20-2023
6	Part 6 and Part 28	2370	B-21-2023
7	Part 7 and Part 8	2247	B-22-2023
8	Part 9 and Part 10	2241	B-23-2023
9	Part 11 and Part 12	2249	B-24-2023
10	Part 13 and Part 14	2369	B-25-2023
11	Part 15 , Part 16 and Part 17	2370	B-26-2023
12	Part 18 and Part 19	2369	B-27-2023

The applicant has until December 7, 2025 to fulfill all conditions associated with the 12 Consent Approvals B/16/2023 to B/27/2023 (Appendix C). Condition 7 requires the applicant to rezone the subject lands to permit a single-detached dwelling on each lot. Failure to fulfil the conditions by this date shall deem the consents to be refused, as per the *Planning Act*.

Proposal

The subject lands are currently zoned as “Hamlet Commercial Zone Exception 1 (HC-1)”, which is a site-specific zone that is intended for uses associated with the Rochester Golf Club. The “HC-1” Zone does not permit for any residential development other than one “Accessory Dwelling Unit” that is accessory to a non-residential use. The proposed Zoning By-law Amendment seeks to rezone the lands to “Hamlet Residential (HR)” to allow for single-detached dwellings on the newly severed lots without the requirement of being accessory to a non-residential use.

To support the proposed rezoning, the applicant has provided “Individual Lot Plans”, a “Site Servicing and Grading Plan” showing County of Essex approved driveway access approaches, and a “Planning Justification Report” which are attached to this report for reference (Appendices D, E and F). An “Archaeological Assessment”, “Noise and Vibration Study”, “Drainage Report” and a “Registered Survey” were also provided with the application and can be made available upon request.

Subject Lands:	Existing Use: Vacant land Proposed Use: Single-detached lots Access: County Rd 2 Services: municipal water, private sanitary and municipal drain on the opposing side of County Rd 2
Surrounding Land Uses:	The immediate area surrounding the subject lands consists of the Rochester Golf Course, farm land and single-detached lots. Via Rail and Lake St Clair are located further to the north.

County of Essex Official Plan:	"Secondary Settlement Area" "Intake Protection Zone 3" "Flood Prone Hazard Lands"
Lakeshore Official Plan:	"Hamlet" "Flood Prone Hazard Lands"
Existing Zoning:	"Hamlet Commercial Exception One (HC-1)"
Proposed Zoning:	"Hamlet Residential (HR)"
Conservation Authority:	The subject lands are regulated by the Essex Region Conservation Authority

Planning Comments

Provincial Planning Statement, 2024

The Provincial Planning Statement, 2024 (PPS) sets the policy foundation for regulating development and land use planning in Ontario. All planning decisions are required to be consistent with the PPS.

The proposed rezoning is consistent with the policies of the current and in-effect version of the PPS such as the following:

"2.2 Housing

1. Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:
 - c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and"

"3.6 Sewage, Water and Stormwater

5. Partial services shall only be permitted in the following circumstances:
 - b) within settlement areas, to allow for infilling and minor rounding out of existing development on partial services provided that site conditions are suitable for the long-term provision of such services with no negative impacts; or"

"4.6 Cultural Heritage and Archaeology

2. Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved."

The proposed rezoning seeks to direct new housing opportunities on vacant lands within an existing settlement area which represents an efficient use of land, resources, infrastructure and public service facilities. The applicant has been working closely with Administration to satisfy the conditions associated with Consent approvals B/16/2023 to

B/27/2023 which includes the rigorous review of the required drawings and studies such as the Drainage Report, Site Servicing and Grading Plan, Noise and Vibration Study and Archaeological assessment. As such, no negative impacts are anticipated as result of the proposed zoning which will create new housing opportunities on partial services.

Overall, the proposed Zoning By-law Amendment is consistent with the Provincial Planning Statement (2024).

County of Essex Official Plan

The proposed rezoning is consistent with the policies of the current and in-effect version of the County of Essex Official Plan such as the following:

“3.2.5 Secondary Settlement Areas

- e) All types of land uses are permitted within the Secondary Settlement Areas designation subject to the specific land use policies of the local Official Plans.”
- g) Secondary Settlement Areas, or portions thereof, that generally contain or are planned for non-employment uses, are subject to the following additional policies:
 - ii) New development will generally be limited to infilling, redevelopment on existing lots of records, and limited residential intensification.

Single-detached dwellings are permitted within “Secondary Settlement Areas”. The proposed rezoning will result in a limited level of residential intensification along a section of County Rd 2 where there are already single-detached lots abutting the golf course.

Overall, the proposed Zoning By-law Amendment is consistent with the policies of the County of Essex Official Plan.

Lakeshore Official Plan

The proposed rezoning is consistent with the policies of the current and in-effect version of the Lakeshore Official Plan such as the *following*:

“6.3 Hamlet Designation

6.3.1 Permitted Uses

- a) Low density residential dwellings will be permitted.”

“4.2 Built Environment

4.2.1 Community Design

- c) Measures will be taken to ensure that the permitted uses address compatibility with adjacent land uses. Adequate separation buffering or screening will be provided between any uses where land use conflicts might be expected, such as the provision of grass strips and appropriate planting of trees and shrubs, berms or fence screening, and other means as appropriate. Modifications to building orientation may also represent appropriate buffering measures.”

The proposed rezoning will facilitate a form of residential development that is permitted within the “Hamlet” Land Use Designation. The proposed single-detached dwellings will be compatible with the surrounding area as there is already a predominant lotting pattern of single-detached lots situated along the County Rd 2 frontage. The County of Essex has approved the proposed driveway access to each single-detached lot. As such, there are no anticipated traffic conflicts. Furthermore, the 7.5 m required rear yard setback provides for an adequate separation distance between the future homes and the golf course with ample space for fencing and landscaping.

Overall, the proposed Zoning By-law Amendment is consistent with the policies of the Municipality of Lakeshore Official Plan.

Lakeshore Zoning By-law 2-2012

The subject property is currently zoned as Hamlet Commercial Exception 1 (HC-1) which does not permit any residential development other than one “Accessory Dwelling Unit” that is accessory to a non-residential use. The proposed Zoning By-law Amendment seeks to rezone the lands to “Hamlet Residential (HR)” which permits both single-detached dwellings and semi-detached dwellings. However, the applicant is seeking to develop the lands with single-detached dwellings in accordance with the approved drawings and studies that were submitted as apart of the conditional consent approval. The “Hamlet Residential (HR)” zone is appropriate for the lands because it will result in a level of intensification that is appropriate for the “Secondary Settlement Area” and “Hamlet” land use designations. The future dwellings will comply with the ‘HR’ Zone’s 35% maximum lot coverage requirement and 35% minimum landscaped open space requirement. Due to the large size of each lot which ranges from 2,040 m² to 2,370 m², there will remain a significant amount of open space between each dwelling which will be compatible with the existing streetscape character.

Comments

Building Services

- The grade at the houses may have to be adjusted on site to accommodate the septic system elevation.

As a condition of the Consent approval, the applicant is required to submit a Site Servicing and Grading Plan that is satisfactory to Administration in accordance with municipal standards. The Site Servicing and Grading Plan provided by the Applicant is still under review by Administration.

Fire Services

- No comments.

Development Engineering and Approvals

- See Appendix H

Others Consulted

Notice was given to the required external agencies and the general public as required under the provisions of the Planning Act and Regulations. No concerns were raised from any of the external agencies including the County of Essex or the Essex Region Conservation Authority (Appendix I). One correspondence was received from the public in response to the mailed circulation (Appendix J).

Financial Impacts

Development charges and building permit fees will be collected at the time of the development of 12 housing units, as well as additional taxation, water, and wastewater revenue.

Conclusion

Based on the foregoing, Administration recommends that Council approve ZBA-23-2024 (By-law 48-2025), as it relates to the subject lands identified in “Appendix A” which corresponds to the 12 severed lots that were approved with conditions under Consent Application File Number (B/16/2013 to B/27/2023), and to rezone the lands from “Hamlet Commercial Exception 1 (HC-1)” to “Hamlet Residential (HR)”.

Attachments

Appendix A – Aerial View of Subject Lands to be Rezoned
Appendix B – Draft Reference Plan Showing Lot Configurations
Appendix C – Conditions of Consent Approval
Appendix D – Individual Lot Plans
Appendix E – Site Servicing and Grading Plan with Driveways
Appendix F – Planning Justification Report
Appendix G – Planning Letter to Council
Appendix H – Development Engineering Comments
Appendix I – External Agency Comments
Appendix J – Public Circulation Comments

Report Approval Details

Document Title:	ZBA-23-2024 - 923 County Rd 2.docx
Attachments:	<ul style="list-style-type: none">- Appendix A - Aerial View of Lands to be Rezoned.pdf- Appendix B - Draft Reference Plan Showing Lot Configurations.pdf- Appendix C - Conditions of Consent Approval.pdf- Appendix D - Individual Lot Plans.pdf- Appendix E - Site Servicing and Grading Plan with Driveways.pdf- Appendix F - Planning Justification Report.pdf- Appendix G - Planning Letter to Council.pdf- Appendix H - Development Engineering Comments.pdf- Appendix I - External Agency Comments.pdf- Appendix J - Public Circulation Comments.pdf
Final Approval Date:	Jun 27, 2025

This report and all of its attachments were approved and signed as outlined below:

Prepared by Jacob Dickie

Submitted by Urvi Prajapati, Daniel Mercer and Tammie Ryall

Approved by the Corporate Leadership Team